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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,228	12/22/2003	Vincenzo Caci	CS20275P	7672
20280 7590 03/22/2007 MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			EXAMINER WHIPKEY, JASON T	
			ART UNIT	PAPER NUMBER
			2622	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/22/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/743,228

Applicant(s)

CACI ET AL.

Examiner

Jason T. Whipkey

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.
3. The abstract of the disclosure is objected to because it begins with, "the present invention relates to". Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claims 10 and 23 are objected to because of an informality. Both claims do not end with a period.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5, 7, 8, 12-16, 18, 20, 21, and 25-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Karidis (U.S. Patent Application No. 2002/0068614).

Regarding **claims 1, 14, and 27**, Karidis discloses:

A housing (see Figure 1), for an electronic device (personal communications device 101) having at least two function sets (the closed/direct-view mode, the open/direct-view mode, and the open/projection-view modes; see paragraph 34), the housing having first (cover 501 in Figure 8) and second (the unlabeled base in Figure 8) housing portions arranged to move relative to one another (see paragraph 26) between at least a first and a second relative position (opened and closed) to select a respective first and second function set (see paragraphs 30 and 34).

Regarding **claims 2 and 15**, Karidis discloses:

at least one function module (display 102 and display cover assembly 502), the or each function module being associated with a respective function set (the display is used based on the current mode; see paragraphs 24, 29, and 30).

Regarding **claims 3 and 16**, Karidis discloses:

at least one of the different positions of the housings relative to each other selects a different function module and a function set associated therewith (a mode is selected based on whether the device is opened or closed; see paragraph 30).

Regarding **claims 5 and 18**, Karidis discloses:

at least one function module is moveable between a retracted position in which the function module is at least substantially contained within or between the first and second housing portions (see Figure 3) and an extended position in which the function module is extended from the first and second housing portions (see Figure 8).

Regarding **claims 7 and 20**, Karidis discloses:

the at least one function module moves radially between the retracted position and the extended position (display cover assembly 502 is hinged where the top and bottom parts of cover 501 meet; see figures 5-8).

Regarding **claims 8 and 21**, Karidis discloses:

the at least one function module rotates about an axis at the edge of at least one of the housing portions to move between the retracted position and the

extended position (display cover assembly 502 is hinged where the top and bottom parts of cover 501 meet; see figures 5-8).

Regarding **claims 12 and 25**, Karidis discloses:

the first and second housing portions are arranged to rotate around an axis substantially in the center of the first and second housing portions (a hinge is located between the top and bottom parts of the cover; see Figure 4).

Regarding **claims 13 and 26**, Karidis discloses:

the first and second housing portions are substantially congruent (see figures 3 and 4).

7. Claims 1-3, 9, 10, 12-16, 22, 23, and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Kfoury (U.S. Patent No. 6,549,789).

Regarding **claims 1, 14, and 27**, Kfoury discloses:

A housing (see Figure 2), for an electronic device (cellular radiotelephone 100) having at least two function sets (the function set is determined by the user interface inserted into the device; see column 3, lines 14-51), the housing having first (202) and second (204) housing portions arranged to move relative to one another between at least a first (see Figure 2) and a second (see Figure 10) relative position to select a respective first and second function set (one of many modes; see column 4, lines 19-27).

Regarding **claims 2 and 15**, Kfoury discloses:

at least one function module (user interface 1400; see Figure 14), the or each function module being associated with a respective function set (see column 3, lines 14-51).

Regarding **claims 3 and 16**, Kfoury discloses:

at least one of the different positions of the housings relative to each other selects a different function module and a function set associated therewith (the position of the first and second housing portions selects an appropriate mode; see column 4, lines 19-27).

Regarding **claims 9 and 22**, Kfoury discloses:

at least part of at least one of the function modules is substantially detachable from the housing (see Figure 14 and column 7, lines 14-16).

Regarding **claims 10 and 23**, Kfoury discloses:

the or each function module carries one of: a camera; a keypad (see Figure 14 and column 3, lines 14-51); a keyboard; a joystick; a speaker; a microphone; a loudspeaker; polyphonic speaker, sound recorder; radio tuner; plug connectors.

Regarding **claims 12 and 25**, Kfoury discloses:

the first and second housing portions are arranged to rotate around an axis substantially in the center of the first and second housing portions (housing portions 202 and 204 are joined by hinge 214 at a center point; see Figure 2).

Regarding **claims 13 and 26**, Kfoury discloses:

the first and second housing portions are substantially congruent (see figures 2 and 10).

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8. Claims 1-6, 10-19, and 23-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Kemppinen (U.S. Patent No. 7,123,240).

Regarding **claims 1, 14, and 27**, Kemppinen discloses:

A housing (see Figure 1), for an electronic device (10) having at least two function sets, the housing having first (lid 24) and second (base 22) housing portions arranged to move relative to one another between at least a first (see Figure 1) and a second (see Figure 2) relative position to select a respective first and second function set (see column 3, lines 26-32).

Regarding **claims 2 and 15**, Kemppinen discloses:

at least one function module (numeric keypad 36 and alphanumeric keypad 14), the or each function module being associated with a respective function set (numeric keypad 36 is associated with phone use, and alphanumeric keypad 14 is associated with Internet use; see *id.*).

Regarding **claims 3 and 16**, Kemppinen discloses:

at least one of the different positions of the housings relative to each other selects a different function module and a function set associated therewith (see *id.*).

Regarding **claims 4 and 17**, Kemppinen discloses:

when the housings are positioned to select a function module and associated function set, a display carried by the first housing portion is aligned with the function module (display 32 is adjacent to keypad 36, and display 16 is in

the same plane as alphanumeric keypad 14 when the device is open; see figures 1 and 2).

Regarding **claims 5 and 18**, Kemppinen discloses:

at least one function module (joystick member 50) is moveable between a retracted position in which the function module is at least substantially contained within or between the first and second housing portions (see column 6, lines 51-52) and an extended position in which the function module is extended from the first and second housing portions (see column 6, lines 40-44).

Regarding **claims 6 and 19**, Kemppinen discloses:

means to make the extension of the at least one function module relative to the housing automatic on selection of the respective function set (joystick 50 extends when the case is open; see column 6, lines 40-59).

Regarding **claims 10 and 23**, Kemppinen discloses:

the or each function module carries one of: a camera; a keypad; a keyboard; a joystick (50; see Figure 8); a speaker; a microphone; a loudspeaker; polyphonic speaker, sound recorder; radio tuner; plug connectors.

Regarding **claims 11 and 24**, Kemppinen discloses:

a single function set is associated with two function modules (the device can comprise of two sections 46 [each of which has a joystick 50], one on each side of the device; see column 3, lines 57-62).

Regarding **claims 12 and 25**, Kemppinen discloses:

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the first and second housing portions are arranged to rotate around an axis substantially in the center of the first and second housing portions (housing portions 22 and 24 are joined by a hinge at a center point; see figures 1 and 2).

Regarding **claims 13 and 26**, Kemppinen discloses:

the first and second housing portions are substantially congruent (see Figure 1).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Whipkey, whose telephone number is (571) 272-7321. The examiner can normally be reached Monday through Friday from 9:00 A.M. to 5:30 P.M. eastern daylight time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava, can be reached at (571) 272-7304. The fax phone number for the organization where this application is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTW

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March 16, 2007


TUAN HO
PRIMARY EXAMINER